

# Union Calendar No. 505

110TH CONGRESS  
2D SESSION

# H. R. 6445

[Report No. 110-786]

To amend title 38, United States Code, to prohibit the Secretary of Veterans Affairs from collecting certain copayments from veterans who are catastrophically disabled.

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## IN THE HOUSE OF REPRESENTATIVES

JULY 9, 2008

Mr. CAZAYOUX (for himself, Ms. CORRINE BROWN of Florida, Mr. FILNER, Mr. HARE, and Mr. MICHAUD) introduced the following bill; which was referred to the Committee on Veterans' Affairs

JULY 29, 2008

Additional sponsors: Mr. SALAZAR, Ms. BERKLEY, Mr. SPACE, and Mr. BUYER

JULY 29, 2008

Reported with amendments, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

[Strike out all after the enacting clause and insert the part printed in italic]

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## A BILL

To amend title 38, United States Code, to prohibit the Secretary of Veterans Affairs from collecting certain copayments from veterans who are catastrophically disabled.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

1 **SECTION 1. PROHIBITION ON COLLECTION OF CERTAIN**  
 2 **COPAYMENTS FROM VETERANS WHO ARE**  
 3 **CATASTROPHICALLY DISABLED.**

4 (a) PROHIBITION ON COLLECTION OF COPAYMENTS  
 5 AND OTHER FEES FOR HOSPITAL OR NURSING HOME  
 6 CARE.—Section 1710 of title 38, United States Code, is  
 7 amended—

8 (1) by redesignating subsection (h) as sub-  
 9 section (i); and

10 (2) by inserting after subsection (g) the fol-  
 11 lowing new subsection (h):

12 “(h) Notwithstanding any other provision of this sec-  
 13 tion, a veteran who is catastrophically disabled shall not  
 14 be required to make any payment otherwise required  
 15 under subsection (f) or (g) for the receipt of hospital care  
 16 or nursing home care under this section.”.

17 (b) EFFECTIVE DATE.—Subsection (h) of section  
 18 1710 of title 38, United States Code, as added by sub-  
 19 section (a), shall apply with respect to hospital care or  
 20 nursing home care provided after the date of the enact-  
 21 ment of this Act.

22 **SECTION 1. SHORT TITLE.**

23 *This Act may be cited as the “Veterans’ Health Care*  
 24 *Policy Enhancement Act of 2008”.*

1 **SEC. 2. PROHIBITION ON COLLECTION OF CERTAIN COPAY-**  
2 **MENTS FROM VETERANS WHO ARE CATA-**  
3 **STROPHICALLY DISABLED.**

4 *(a) PROHIBITION ON COLLECTION OF COPAYMENTS*  
5 *AND OTHER FEES FOR HOSPITAL OR NURSING HOME*  
6 *CARE.—Section 1710 of title 38, United States Code, is*  
7 *amended—*

8 *(1) by redesignating subsection (h) as subsection*  
9 *(i); and*

10 *(2) by inserting after subsection (g) the following*  
11 *new subsection (h):*

12 *“(h) Notwithstanding any other provision of this sec-*  
13 *tion, a veteran who is catastrophically disabled shall not*  
14 *be required to make any payment otherwise required under*  
15 *subsection (f) or (g) for the receipt of hospital care or nurs-*  
16 *ing home care under this section.”.*

17 *(b) EFFECTIVE DATE.—Subsection (h) of section 1710*  
18 *of title 38, United States Code, as added by subsection (a),*  
19 *shall apply with respect to hospital care or nursing home*  
20 *care provided after the date of the enactment of this Act.*

1 **SEC. 3. EXPANSION OF AUTHORITY OF SECRETARY OF VET-**  
 2 **ERANS AFFAIRS TO PROVIDE COUNSELING**  
 3 **FOR FAMILY MEMBERS OF VETERANS RECEIV-**  
 4 **ING NONSERVICE-CONNECTED TREATMENT.**

5 *Section 1782(b) of title 38, United States Code, is*  
 6 *amended by striking “if—” and all that follows and insert-*  
 7 *ing a period.*

8 **SEC. 4. COMPREHENSIVE POLICY ON PAIN MANAGEMENT.**

9 *(a) COMPREHENSIVE POLICY REQUIRED.—Not later*  
 10 *than October 1, 2008, the Secretary of Veterans Affairs shall*  
 11 *develop and implement a comprehensive policy on the man-*  
 12 *agement of pain experienced by veterans enrolled for health*  
 13 *care services provided by the Department of Veterans Af-*  
 14 *fairs.*

15 *(b) SCOPE OF POLICY.—The policy required by sub-*  
 16 *section (a) shall cover each of the following:*

17 *(1) The systemwide management of acute and*  
 18 *chronic pain experienced by veterans.*

19 *(2) The standard of care for pain management*  
 20 *to be used throughout the Department.*

21 *(3) The consistent application of pain assess-*  
 22 *ments to be used throughout the Department.*

23 *(4) The assurance of prompt and appropriate*  
 24 *pain care treatment and management by the Depart-*  
 25 *ment, systemwide, when medically necessary.*

1           (5) *The Department's program of research re-*  
2           *lated to acute and chronic pain suffered by veterans,*  
3           *including pain attributable to central and peripheral*  
4           *nervous system damage characteristic of injuries in-*  
5           *curring in modern warfare.*

6           (6) *The Department's program of pain care edu-*  
7           *cation and training for health care personnel of the*  
8           *Department.*

9           (7) *The Department's program of patient edu-*  
10          *cation for veterans suffering from acute or chronic*  
11          *pain and their families.*

12          (c) *UPDATES.—The Secretary shall revise the policy*  
13          *developed under subsection (a) on a periodic basis in ac-*  
14          *cordance with experience and evolving best practice guide-*  
15          *lines.*

16          (d) *CONSULTATION.—The Secretary shall develop the*  
17          *policy developed under subsection (a), and revise such pol-*  
18          *icy under subsection (c), in consultation with veterans serv-*  
19          *ice organizations and organizations with expertise in the*  
20          *assessment, diagnosis, treatment, and management of pain.*

21          (e) *ANNUAL REPORT.—*

22                (1) *IN GENERAL.—Not later than 180 days after*  
23                *the date of the completion and initial implementation*  
24                *of the policy under subsection (a) and on October 1*  
25                *of every fiscal year thereafter through fiscal year*

1       2018, the Secretary shall submit to the Committee on  
2       Veterans' Affairs of the Senate and the Committee on  
3       Veterans' Affairs of the House of Representatives a re-  
4       port on the implementation of the policy developed  
5       under subsection (a).

6               (2) CONTENTS.—The report required by para-  
7       graph (1) shall include the following:

8               (A) A description of the policy developed  
9       and implemented under subsection (a) and any  
10      revisions to such policy under subsection (c).

11              (B) A description of the performance meas-  
12      ures used to determine the effectiveness of such  
13      policy in improving pain care for veterans sys-  
14      temwide.

15              (C) An assessment of the adequacy of the  
16      Department's pain management services based  
17      on a survey of patients managed in Department  
18      clinics.

19              (D) An assessment of the Department's re-  
20      search programs relevant to the treatment of the  
21      types of acute and chronic pain suffered by vet-  
22      erans.

23              (E) An assessment of the training provided  
24      to Department health care personnel with respect

1           to the diagnosis, treatment, and management of  
2           acute and chronic pain.

3           (F) *An assessment of the Department’s pain*  
4           *care-related patient education programs.*

5           (f) *VETERANS SERVICE ORGANIZATION DEFINED.—In*  
6           *this section, the term “veterans service organization” means*  
7           *any organization recognized by the Secretary for the rep-*  
8           *resentation of veterans under section 5902 of title 38,*  
9           *United States Code.*

10   **SEC. 5. ESTABLISHMENT OF CONSOLIDATED PATIENT AC-**  
11           **COUNTING CENTERS.**

12           (a) *ESTABLISHMENT OF CENTERS.—Chapter 17 of*  
13           *title 38, United States Code, is amended by inserting after*  
14           *section 1729A the following:*

15   **“§ 1729B. Consolidated patient accounting centers**

16           “(a) *IN GENERAL.—Not later than 5 years after the*  
17           *date of enactment of this section, the Secretary of Veterans*  
18           *Affairs shall establish not more than seven consolidated pa-*  
19           *tient accounting centers for conducting industry-modeled*  
20           *regionalized billing and collection activities of the Depart-*  
21           *ment.*

22           “(b) *FUNCTIONS.—The centers shall carry out the fol-*  
23           *lowing functions:*

24                   “(1) *Reengineer and integrate all business proc-*  
25                   *esses of the revenue cycle of the Department.*

1           “(2) *Standardize and coordinate all activities of*  
 2           *the Department related to the revenue cycle for all*  
 3           *health care services furnished to veterans for non-*  
 4           *service-connected medical conditions.*

5           “(3) *Apply commercial industry standards for*  
 6           *measures of access, timeliness, and performance*  
 7           *metrics with respect to revenue enhancement of the*  
 8           *Department.*

9           “(4) *Apply other requirements with respect to*  
 10          *such revenue cycle improvement as the Secretary may*  
 11          *specify.”.*

12          (b) *CLERICAL AMENDMENT.—The table of sections at*  
 13          *the beginning of such chapter is amended by inserting after*  
 14          *the item relating to section 1729A the following:*

*“1729B. Consolidated patient accounting centers.”.*

15   **SEC. 6. SIMPLIFYING AND UPDATING NATIONAL STAND-**  
 16                           **ARDS TO ENCOURAGE TESTING OF THE**  
 17                           **HUMAN IMMUNODEFICIENCY VIRUS.**

18          *Section 124 of the Veterans’ Benefits and Services Act*  
 19          *of 1988 (38 U.S.C. 7333 note; 102 Stat. 505) and the item*  
 20          *relating to such section in the table of contents of such Act*  
 21          *(102 Stat. 487) are repealed.*

          Amend the title so as to read: “A bill to amend title 38, United States Code, to prohibit the Secretary of Veterans Affairs from collecting certain copayments from veterans who are catastrophically disabled, and for other purposes.”.





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